

MINUTES
CHARLOTTE COUNTY BOARD OF ZONING APPEALS
Wednesday, March 13, 2013 – 9 a.m. – Room 119
Charlotte County Administration Center
18500 Murdock Circle
Port Charlotte, FL 33948-1094

(These minutes are not official until they have been approved by the Charlotte County Board of Zoning Appeals)

Members Present

Katherine Ariens, Chair
Steve Vieira, Secretary
Blair McVety, Vice-Chair (Absent)
Joe Tiseo
Larry Fix

Staff Present

Ty Harris, Assistant County Attorney
Shaun Cullinan, Zoning Official (absent)
Joshua Moye, Assistant County Attorney
Ken Quillen, AICP, Planner III
Diane Clim, Recorder

I. Call to Order

Chair Ariens called the March 13, 2013 meeting of the Board of Zoning Appeals to order at 9:00 a.m.

II. Pledge of Allegiance

Chair Ariens led the members and the audience in reciting the Pledge of Allegiance.

III. Roll Call

Roll call was taken; a quorum was present.

IV. Swearing In of Those Giving Testimony

Diane Clim swore in all persons who wished to provide testimony.

V. Approval of Minutes

ACTION: A motion was presented by Mr. Tiseo and seconded by Mr. Fix to approve the minutes of the February 13, 2013 meeting of the Board of Zoning Appeals. Motion passed with a unanimous vote.

VI. Disclosure Statements

Ex-parte forms indicating site visits concerning the petitions being presented before the March 13, 2013 Board of Zoning Appeals meeting were submitted.

VII. Introduction of Staff/Comments

Chair Ariens introduced staff. Ken Quillen, Planner III, read the Zoning rules (Shaun Cullinan, Zoning Official was in another meeting), Attorney Ty Harris, and Chair Ariens made introductory remarks regarding the types of requests that the Board of Zoning Appeals would be reviewing and the standards which must be met, the notification process and how the Board of Zoning Appeals makes its decision.

VIII. New Business

The following petitions were advertised on February 26, 2013: SE-13-002

SE-13-002

Jason Rone is requesting a special exception to allow a mobile home, to be used as a residence, in an Agriculture General (AG) zoning district. The property address is 50680 Bermont Road, Punta Gorda, and is described as Tract T70, located in Section 33, Township 40 South, Range 27 East.

Ken Quillen presented general information and staff findings for the petition.

There were a few questions regarding the easement and access to the property.

Applicant Presentation

Jason Rone, 163 Palm Drive, Naples, applicant, said he was sworn in. Mr. Rone handed out a packet showing the mobile home he is purchasing and a few other documents. He said he recently purchased the property and would like to put the mobile home on the site as his permanent residence.

There was discussion about the easement and access to the property.

Mr. Rone said he was aware there was access, but he does not recall seeing anything in writing.

Mr. Harris, Asst. Co. Attorney, said typically when you have your title work done for the closing, it probably says in there that you have access. He said it is a private matter and without looking at the title policy, it's hard to say, but all properties need to have access.

Chair Ariens opened the meeting to Public Hearing.

Public Input

No one spoke for or against this request.

There being no further requests to speak for or against the petition, Mr. Vieira moved to close the public hearing, seconded by Mr. Fix. The public hearing was closed with a unanimous vote.

Ken Quillen presented the analysis, conclusion and recommended conditions for the petition.

Board Member Comments and Questions

None

ACTION: A motion was presented by Joe Tiseo and seconded by Larry Fix that Petition SE-13-002 be APPROVED based on the Community Development Staff Report dated March 5, 2013, the evidence and testimony presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the Special Exception with 4 conditions.

Motion was approved with a unanimous vote with the following four conditions:

1. The special exception as approved by the Board of Zoning Appeals is for a single manufactured home to be used as a residence.
2. This special exception extends only to the land included in the Site Plan and legal description submitted with this application. Any modification, alteration or revision of this use may require a modification of the special exception.
3. All permitting procedures and codes are applicable to the erection and occupation of the proposed manufactured home.
4. The manufactured home erected on this property must be rated for the appropriate wind loads by HUD (or DCA) as evidenced by the Data Plate supplied by the manufacturer.

IX. **Public Comments** - None

X. **Staff Comments** -

Mr. Quillen said there are two petitions for the April BZA hearing on April 10, 2013.

XI. **Member Comments** - None

XII. **Next Meeting**

The next meeting of the Board of Zoning Appeals is scheduled for **Wednesday, April 10, 2013, at 9:00 a.m., in Room 119.**

There being no further business, the meeting **ADJOURNED** at 9:40 a.m.

Respectfully submitted,
Diane Clim, Recorder
/dlc


Katherine Ariens, Chair

Approval Date: 4-10-13